# Consult Testimonies CP

### 1NC – Leaders

#### Counterplan text: Aff actors ought to engage in a binding consultation with Malala Yousafzai, Pope Francis, and Barack Obama regarding whether or not to perform the aff advocacy. Aff actors ought to act in accordance with the majority decision.

#### Malala Yousafzai is an incredible moral testimony. Her courageous struggle against the Taliban in favor of education earned her a Nobel Peace Prize. She continues to be an inspirational advocate.

Nobel Foundation n.d. (“Malala Yousafzai – Biographical,” <https://www.nobelprize.org/nobel_prizes/peace/laureates/2014/yousafzai-bio.html>) OS

Malala Yousafzai was born on July 12, 1997, in Mingora, the largest city in the Swat Valley in what is now the Khyber Pakhtunkhwa Province of Pakistan. She is the daughter of Ziauddin and Tor Pekai Yousafzai and has two younger brothers. At a very young age, Malala developed a thirst for knowledge. For years her father, a passionate education advocate himself, ran a learning institution in the city, and school was a big part of Malala's family. She later wrote that her father told her stories about how she would toddle into classes even before she could talk and acted as if she were the teacher. In 2007, when Malala was ten years old, the situation in the Swat Valley rapidly changed for her family and community. The Taliban began to control the Swat Valley and quickly became the dominant socio-political force throughout much of northwestern Pakistan. Girls were banned from attending school, and cultural activities like dancing and watching television were prohibited. Suicide attacks were widespread, and the group made its opposition to a proper education for girls a cornerstone of its terror campaign. By the end of 2008, the Taliban had destroyed some 400 schools. Determined to go to school and with a firm belief in her right to an education, Malala stood up to the Taliban. Alongside her father, Malala quickly became a critic of their tactics. "How dare the Taliban take away my basic right to education?" she once said on Pakistani TV. In early 2009, Malala started to blog anonymously on the Urdu language site of the British Broadcasting Corporation (BBC). She wrote about life in the Swat Valley under Taliban rule, and about her desire to go to school. Using the name "Gul Makai," she described being forced to stay at home, and she questioned the motives of the Taliban. Malala was 11 years old when she wrote her first BBC diary entry. Under the blog heading "I am afraid," she described her fear of a full-blown war in her beautiful Swat Valley, and her nightmares about being afraid to go to school because of the Taliban. Pakistan's war with the Taliban was fast approaching, and on May 5, 2009, Malala became an internally displaced person (IDP), after having been forced to leave her home and seek safety hundreds of miles away. On her return, after weeks of being away from Swat, Malala once again used the media and continued her public campaign for her right to go to school. Her voice grew louder, and over the course of the next three years, she and her father became known throughout Pakistan for their determination to give Pakistani girls access to a free quality education. Her activism resulted in a nomination for the International Children's Peace Prize in 2011. That same year, she was awarded Pakistan's National Youth Peace Prize. But, not everyone supported and welcomed her campaign to bring about change in Swat. On the morning of October 9, 2012, 15-year-old Malala Yousafzai was shot by the Taliban. Seated on a bus heading home from school, Malala was talking with her friends about schoolwork. Two members of the Taliban stopped the bus. A young bearded Talib asked for Malala by name, and fired three shots at her. One of the bullets entered and exited her head and lodged in her shoulder. Malala was seriously wounded. That same day, she was airlifted to a Pakistani military hospital in Peshawar and four days later to an intensive care unit in Birmingham, England. Once she was in the United Kingdom, Malala was taken out of a medically induced coma. Though she would require multiple surgeries, including repair of a facial nerve to fix the paralyzed left side of her face, she had suffered no major brain damage. In March 2013, after weeks of treatment and therapy, Malala was able to begin attending school in Birmingham. After the shooting, her incredible recovery and return to school resulted in a global outpouring of support for Malala. On July 12, 2013, her 16th birthday, Malala visited New York and spoke at the United Nations. Later that year, she published her first book, an autobiography entitled "I Am Malala: The Girl Who Stood Up for Education and Was Shot by the Taliban." On October 10, 2013, in acknowledgement of her work, the European Parliament awarded Malala the prestigious Sakharov Prize for Freedom of Thought. In 2014, through the Malala Fund, the organization she co-founded with her father, Malala traveled to Jordan to meet Syrian refugees, to Kenya to meet young female students, and finally to northern Nigeria for her 17th birthday. In Nigeria, she spoke out in support of the abducted girls who were kidnapped earlier that year by Boko Haram, a terrorist group which, like the Taliban, tries to stop girls from going to school. In October 2014, Malala, along with Indian children's rights activist Kailash Satyarthi, was named a Nobel Peace Prize winner. At age 17, she became the youngest person to receive this prize. Accepting the award, Malala reaffirmed that "This award is not just for me. It is for those forgotten children who want education. It is for those frightened children who want peace. It is for those voiceless children who want change." Today, the Malala Fund has become an organization that, through education, empowers girls to achieve their potential and become confident and strong leader in their own countries. Funding education projects in six countries and working with international leaders, the Malala Fund joins with local partners to invest in innovative solutions on the ground and advocates globally for quality secondary education for all girls. Currently residing in Birmingham, Malala is an active proponent of education as a fundamental social and economic right. Through the Malala Fund and with her own voice, Malala Yousafzai remains a staunch advocate for the power of education and for girls to become agents of change in their communities.

#### **Pope Francis has presented examples to billions with acts of justice.**

Obama ’14 (TIME 100 ICONS Pope Francis By Barack Obama April 23, 2014. Time Magazine.)

Rare is the leader who makes us want to be better people. Pope Francis is such a leader. His Holiness has moved us with his message of inclusion, especially for the poor, the marginalized and the outcast. But it has been his deeds, his bearing, the gestures at once simple and profound — embracing the sick, ministering to the homeless, washing the feet of young prisoners — that have inspired us all. Pope Francis reminds us in ways that words alone cannot that no matter our station in life, we are bound by moral obligations to one another. His example challenges us to live out those obligations through work — to alleviate poverty, reduce inequality and promote peace; to feed the hungry, shelter the homeless, care for the sick and open new doors of opportunity and visions of possibility for everyone. His message of love and inclusion, his regard for “the least of these,” distills the essence of Jesus’ teachings and is a tonic for a cynical age. May we heed his humble example.

#### Outweighs—the Pope occupies a unique position of authority. Few people are as carefully vetted morally as those given an established position over millions. The Pope has been chosen from a council of Cardinals who themselves gained positions through success as moral examples to others.

#### Last, Barack Obama has unique political experience. He was the first black president of a super racist country, won the Nobel Peace Prize, and pretty much singlehandedly reversed Bush’s destruction. He has extensive legal knowledge and experience with constitutional interpretation.

#### The standard is appealing to qualified moral testimony.

#### In order to assist us, ethics must account for our own epistemic limitations. This is the function of regulative epistemology—we must source epistemic virtues to find the right way to get the right answer.

Woods and Roberts ’10 (Intellectual Virtues: An Essay in Regulative Epistemology (Advances in Cognitive Models & Arch). January 4, 2010)

The triviality of standard epistemology’s examples is due in part to the historical preoccupation with skepticism. If one cannot secure so simple a claim as “ I have two hands” or “ The world has existed for quite a while” against the mischief of evil demons and manipulative brain scientists, it makes little sense to worry about how we know difficult truths about the causes of the Second World War or the structure of DNA. Anti-skeptical maneuvers are a strong motif in the history of philosophy: Plato opposes the Sophists, Augustine the academic skeptics, Descartes Montaigne, Reid Hume, and Moore and Wittgenstein set themselves against skepticism inspired by Russell. However dominant anti-skepticism may be historically, some of epistemology’s most productive moments— in Aquinas, Kant, Plantinga— arose because philosophers were willing to set aside skeptical worries and look into what ordinary practitioners of science, religion, politics, and humanistic inquiry were willing to call knowledge. Intellectual virtues of the kind that interest Zagzebski and us seem likely to have relevance to high-end kinds of knowledge like scientific discoveries, the subtle understanding of difficult texts, moral self-knowledge, and knowledge of God, while being marginal to knowing, upon taking a look, that a bird is outside my window, or that what is in front of me is white paper. Given the central place of knowledge and understanding in human life, one would expect epistemology to be one of the most fascinating and enriching fields of philosophy and itself an important part of an education for life. We might expect that any bright university student who got all the way to her junior year without dipping her mind in an epistemology course would have to hang her head in shame of her cultural poverty. But the character and preoccupations of much of the epistemology of the twentieth century disappoint this expectation. We think that the new emphasis on the virtues and their relation to epistemic goods has the potential to put epistemology in its rightful place. And we hope that the present book, whatever its many shortcomings in detail, will suggest the rich ways in which epistemology-—the study of knowledge and related human goods— connects with ethical and political issues, with the practice of science and other forms of inquiry, with religion and spirituality, with appreciation of the arts, and with the enterprise of education.

#### **Continued**

Nicholas Wolterstorff distinguishes two kinds of epistemology, which he calls “analytic” and “regulative” . Analytic epistemology aims to produce theories of knowledge, rationality, warrant, justification, and so forth, and proceeds by attempting to define these terms. The English-speaking epistemology of the twentieth century is chiefly of this kind, and all of the virtue epistemologies of the last twenty-five years have been attempts to turn the intellectual virtues to the purposes of analytic epistemology. Regulative epistemology, which is the kind mostly practiced by Locke and Descartes and others of their period, does not aim to produce a theory of knowledge (though something like classical foundationalism does get produced as a by-product by Locke and Descartes). Instead, it tries to generate guidance for epistemic practice, “ how we ought to conduct our understandings, what we ought to do by way of forming beliefs” (p. xvi). Regulative epistemology is a response to perceived deficiencies in people’s epistemic conduct, and thus is strongly practical and social, rather than just an interesting theoretical challenge for philosophy professors and smart students. This kind of epistemology aims to change the (social) world. According to Wolterstorff, Locke’s regulative epistemology was a response to the social and intellectual crisis created by the breakup of medieval Christendom’s intellectual consensus. As Locke and others saw it, people’s intellectual lives needed to be reformed-— based on reason, rather than tradition or passions— because only thus could disagreements about the most fundamental issues, along with the resulting social conflicts, be resolved. But Locke also saw the need for reformation as perennial and genetically human: “I think there are a great many natural defects in the understanding capable of amendment.” Since “we are all short sighted” , seeing things from our own particular angle and not possessing comprehensive faculties, we need to learn the habit and inclination to consult others whose opinions differ from our own and read outside our discipline.21 In effect, Wolterstorff distinguishes two kinds of regulative epistemology, a rule-oriented kind and a habit-oriented kind (see pp. 152—4). Rule oriented epistemology, exemplified by Descartes’s Discourse on Method and Rules for the Direction of the Mind, provides procedural directions for acquiring knowledge, avoiding error, and conducting oneself rationally.22 By contrast, Locke’s regulative epistemology, as exemplified in Book IV of Ills Essay Concerning Human Understanding and Of the Conduct of the Understanding, aims less at the direct regulation of epistemic conduct than at the description of the habits of mind of the epistemicaily rational person. As Locke comments, Nobody is made anything by hearing of rules, or laying them up in his memory... and you may as well hope to make a good painter or musician, extempore, by a lecture and instruction in the arts of music and painting, as a coherent thinker, or a strict reasoner, by a set of rules, showing him wherein right reasoning consists. (Conduct, §4, p. 175) We need not rule-books, but a training that nurtures people in the right intellectual dispositions. Wolterstorff emphasizes that Locke focuses not on the belief-producing mechanisms or faculties that are native to the human mind, but instead on the ways in which such natural faculties are employed in more complex intellectual practices, which have a social dimension and are culturally shaped. Locke aims to reform that culture, to reshape the practices, and thus to foster in his contemporaries habits that support the reshaped practices. It is implicit in Locke’s discussions, and often explicit as well, that the habits in question are not mere habits, but virtues. Many habits are nothing more than skills— expertise in plying methods and techniques— but the habits that Locke describes are in many cases “ habits of the heart” , determinate dispositional states of concern, desire, and pleasure and pain, rather than mere habituated aptitudes. We will return to Locke when we take up the topic of intellectual practices in Chapter 5 The virtues epistemology of this book is a return to this tradition of the seventeenth century, to a regulative epistemology which, like Locke’s, describes the personal dispositions of the agent rather than providing direct rules o f epistemic action. It focuses on forming the practitioner’s character and is strongly education-oriented. The stress on intellectual virtues that has arisen among us is a start that can be felicitously developed in the regulative direction. Like Locke’s, our book is a response to a perception of deficiency in the epistemic agents of our time. But it is not a response to any particular historical upheaval or social crisis. We see a perennial set of deficiencies which in every generation need to be corrected, and a perennial positive need for formation in dispositions o f intellectual excellence. Our response to pluralism of belief systems differs from that of Locke and his fellow promoters of the life of “ reason” . Our regulative epistemology does not aim at quieting fundamental disagreement. Virtues presuppose one or another particular metaphysical or world-view background, and the prospect of securing universal agreement about that is dim. However, several of the virtues that we will discuss in Part II broaden minds and civilize intellectual exchange. The formation of excellent intellectual agents is clearly the business of schools and parents. They are the chief educators of character. But Locke and Descartes think that philosophers have a role as well, and we agree. What is that role, and how does it work? How do philosophers contribute to the regulation of intellectual character? The role that we picture for ourselves both resembles and diverges from the one that epistemologists in the twentieth century implicitly accepted for themselves.

#### Thus, any educational activity should pursue intellectual virtues. Virtues, such as humility, require one to recognize cognitive limitations and epistemic authority of experts. We need to learn what authorities to trust, not to move away from trust in authorities.

Woods and Roberts ’10 (Intellectual Virtues: An Essay in Regulative Epistemology (Advances in Cognitive Models & Arch). January 4, 2010)

Thomas Reid pointed out that we humans tend to believe what we’re told. He considered this tendency “a good gift of Nature”, and the goodness he had in mind was in the first instance epistemic. Because the intellectual life is profoundly cooperative, this gift is important to us. It is a faculty, not something to suppress, eradicate, or bypass, but something to refine and develop, because we depend, and must depend, heavily on the unsupported testimony of others. Without this natural tendency, children could not get started in their cognitive lives, nor could adults come close to collecting all the truths they need to function well intellectually.

#### They continue

The threat posed by an undisciplined credulity disposition is gullibility, but in some intellectual ambiences a wholesale fastidiousness about belief formation may be the problem. Plantinga’s discussion of testimony is less polemical than his discussion of self-knowledge, but it might have been directed against a tendency suggested by some of the writings of Descartes, Locke, and Kant. These epistemologists are suspicious of testimony because it seems to compromise the principle that each person should be responsible for his own cognitions and because testimony may seem to be a generally low-grade kind of evidence. But, given natural human limitations, and the way things go according to the human cognitive design plan, the early modern tendency to prescribe a general suspicion of tradition and testimony could be read as an endorsement of epistemic arrogance and fastidiousness an insistence on the right and duty always to “see for oneself” . A character that made us generally suspicious of testimony or overly insistent on having in our own possession all the evidence supporting each of our beliefs, would be a paralyzing intellectual paranoia, a hyperindividualism that would be both unrealistic and, to the extent that it actually got instantiated as a personality trait, detrimental to our cognitive functioning. The virtues of intellectual humility and gratitude could be regarded as a liberation of the credulity disposition from unwarranted intellectual suspicion and distrust, and thus as dispositions promoting warrant in testimony circumstances.

#### Last is impact calc: A] The framework doesn’t argue that the content of moral rules is that we should follow testimony, but rather that it’s a heuristic for obtaining moral knowledge. That means neg standards that prove the truth of the ethical theory aren’t competitive—if your framework is correct, a qualified moral testimony will have already considered it. B] Testimony is inescapable—any epistemic starting point would be impossible without some deference to others. We could not even debate without trusting our authors aren’t lying or believing our round is where tabroom says it is. That means objections must prove some distinction that means moral testimony is uniquely bad. C] Any attempt to leverage aff offense is at best a reason why testimonies would probably vote yes, so the CP solves.

### 1NC – Philosophers

#### Every evaluation requires assessment of an agent’s epistemic reliability. When we make our own judgments, we view ourselves as trustworthy and able to reach correct answers. But that means the first question must be finding the most reliable agents since they’re more trustworthy than us.

#### The standard is consistency with qualified moral testimony.

#### Impact calc: A] The framework doesn’t argue that the content of moral rules is that we should follow testimony, but rather that it’s a heuristic for obtaining moral knowledge. That means neg standards that prove the truth of the ethical theory aren’t competitive—if your framework is correct, a qualified moral testimony will have already considered it. B] Testimony is inescapable—any epistemic starting point would be impossible without some deference to others. We could not even debate without trusting our authors aren’t lying or believing our round is where tabroom says it is. That means objections must prove some distinction that means moral testimony is uniquely bad. C] Any attempt to leverage aff offense is at best a reason why testimonies would probably vote yes, so the CP solves.

#### Counterplan text: Public colleges and universities ought not restrict any constitutionally protected speech if and only if moral philosophers within their philosophy departments say so.

#### Mutually exclusive – you can’t both do the aff and only do it under certain conditions. Net benefit – the NC.

#### Philosophers are better at answering normative questions—just as those who study medicine are most trusted as doctors, those who study philosophy should be most trusted on moral issues.

Habermas 03 [Habermas, Jurgen, “Truth and Justification”, translated by Barbara Fultner, 2003 Massachusetts Institute of Technology.]

**The functional systems of modern societies depend on specialized knowledge, which they source from experts**, among other things. **Because of their expertise, such professionals are expected to advise on issues that are presented to them from the perspective of those wishing to apply such knowledge.** **What is best suited to answer these “technical” questions is the applied knowledge generated by the relevant** natural and **social sciences.** In such contexts, philosophical knowledge is called for as rarely as the historical or hermeneutic interpretations provided by the humanities in general. Nonetheless, **philosophers are at least consulted on some issues,** on questions of methodology in the critical evaluation of competing expert opinions, and, **above all, on normative questions concerning ecology, medicine, or genetic engineering,** and generally on questions having to do with the risks and consequences of using new technologies. In rare instances, **the issue also has to do with the ethical self-understanding of the political community, as, for instance, in parliamentary discussions of the criminal nature of a political regime that has been overthrown or in debates about what are the best strategies for coping with an unmasterable past (trial and punishment vs. forgiving and forgetting).**

## Theory F/Ls

### Counter-Interp

#### Counter-interpretation: the neg may advocate engaging in a binding consultation regarding whether or not to perform the aff advocacy if they read a standard of appealing to qualified moral authorities.

#### [1] Education—the entire framework proves why we need to learn about effective consultation. Woods and Roberts indicates it’s a crucial function of academic spaces—testimony is inevitable so we need to learn who to trust while we’re students. Testimony NCs don’t solve since a] we don’t know exactly how people would rule on a specific statement like the resolution, and b] the specificity of different affs means they don’t always link.

#### [2] Neg ground—without consult CPs, the neg only gets PICs on this topic, but the aff can always win by proving the principle of free speech or making generic solvency deficits that apply to every CP. Proves multiple types of CP strats are key; any risk of external offense means that 2nd possible strat should be this one.

#### [3] Aff ground—other CPs like PICs actually hijack the aff, but consult CPs don’t necessarily result in the aff if the testimonies say no. Means you have way more offense against this CP, since the truth of the aff is *automatically* a risk of a solvency deficit.

#### [4] Phil ed—the fact that if the CP does result in the aff it’s exactly the same just means the CP forces a framework debate. Phil ed outweighs—a] 100% unique to LD, b] controls the internal link to making any decision since every choice implicitly relies on certain philosophical assumptions.

#### [5] Real world—policymakers debate about whether they should just go ahead with things or consult certain people or agencies all the time. Means a] my interp is most predictable which links to fairness, b] you prevent people from learning how to solve real world problems.

### AT: Ground

#### [1] Turn—gives you way more reciprocal ground since you can win the round just by proving consultation is actively bad, i.e. any sort of testimony indicts. Other CPs require much more comparison and weighing.

#### [2] No link—this is exactly like a testimony NC. You beat it by winning the framework or winning the testimonies are bad. Instead of turning it you just win “they’ll say no” which is equally advantageous.

#### [3] No impact—aff specificity, familiarity and tricks means a bit of stealing the aff is fine. They have infinite prep and can frontline neg generics for months.

## CP F/Ls

### Philosophers vote neg

Schauer 14 [Schauer, Frederick (University of Virginia). Review of Ishani Maitra and Mary Kate McGowan (eds.), *Speech and Harm: Controversies over Free Speech*, Oxford University Press, 2012, 255pp., $35.00 (pbk), ISBN 9780199236275. *Notre Dame Philosophical Reviews*. 2014.03.03. <http://ndpr.nd.edu/news/speech-and-harm-controversies-over-free-speech/> // WWXR]

Philosophical work on the right to freedom of speech (or, as it is more commonly characterized outside of the United States, freedom of expression) has until relatively recently been largely celebratory. Or at least justificatory. Philosophers have started with the premise that there just is a right to free speech and have devoted their efforts to exploring its foundations and examining its implications. Even apart from John Stuart Mill's On Liberty, which remains the touchstone for much work in this justificatory vein, we see important work identifying the roots of a distinct right to freedom of speech in listener autonomy (Scanlon 1972), speaker autonomy (Nagel 1995), speaker dignity and respect (Dworkin 1977, pp. 201-205), democratic theory (Meiklejohn 1948), personal identity (Raz 1991), freedom of thought (Shiffrin 2010), and straight utility-maximization (Sumner 2004), among many others. And although this scholarship has been important and illuminating, it would be a stretch to describe very much of it as deeply skeptical. And the terrain in legal scholarship has been even flatter, with the topic of free speech dominated by Americans seeking to justify the uniquely strong protection of freedom of speech and press in the United States, and with dissenting voices few and far between. The terrain started to shift a few decades ago, largely as a consequence of two different phenomena. One was the emergent attention to various forms of racist speech, typically protected in the United States and rarely protected elsewhere. The American approach could be and frequently was defended with standard slippery-slope and related arguments, but the difficulty of saying that such speech was harmless, coupled with the exceptionalism of the American approach (Schauer 2005), made it far easier for philosophers and others to argue that principles of equality and dignity justified restrictions. And at roughly the same time as free-speech skepticism in the context of so-called hate speech became more visible, the feminist anti-pornography movement called insistent attention to the harms of the kind of speech that traditional liberals had characterized as harmless, and at the same time made it harder to deny the claims of gender equality that lay behind the call for refusing to tolerate images, especially, whose production and dissemination embodied and fostered an environment in which sex discrimination flourished and the problem of sexual violence was downplayed.

#### Outweighs:

#### A. It’s comparative on the perceived argumentative merits of both sides within philosophy.

#### B. Accounts for historical winds favoring free speech that are beginning to shift

#### C. Accounts for deeper trends in philosophy that if consulted would yield restrictions on speech like antiracism.